**THE HONOURABLE SRI JUSTICE GODA RAGHURAM**

**WRIT PETITION No. 19295 of 2006.**

**DATED: 26-10-2006**

Between:

M.Prabhakar Reddy and others.

…Petitioners.

And

The District Collector, Krishna Dist. and others.

…Respondents.

**THE HONOURABLE SRI JUSTICE GODA RAGHURAM**

**W.P.No. 19295 of 2006.**

**Oral order:**

The writ petition is filed seeking a declaration that "the action of the Respondents No.2 and 3 in proposing to acquire 1st petitioner's land of Ac.3-52 cents in R.S.No.4/2 and 2nd petitioner's land of an extent of Ac.2-97 cents in survey Nos. 4/1 and 4/3A and 3rd petitioner's land of an extent of Ac.3-53 cents in Survey Nos.5/4 and 5/5 and 4th petitioner's land of an extent of Ac.3-08 cents in S.No.8/1 and 8/2 and 5th petitioner's land of an extent of Ac.3-70 in Sy.No.8/3 and 8/4 of Janardanpuram Village Nandiwada Mandal, Krishna District belonging to the petitioners for providing House sites under 'Indira Awas Yojana Scheme' or under any other scheme as illegal and unenforceable" and for a direction to the respondents not to acquire any land of the petitioners.

Clearly the writ petition is premature. It is however, the grievance of the petitioners, urged by the learned counsel that even without any formal proceedings having been initiated, the respondents have planted flag on the petitioners' land. The petitioners apprehend unlawful dispossession by the respondents. That is the only issue urged at the admission hearing today.

The learned Government Pleader for Land Acquisition, on obtaining instructions from the respondents, has stated that proposals for acquisition of the land alleged by the petitioners are pending process and consideration by the District Collector and no steps have

been taken including issuance of a notification under Section 4 (1) of the Land Acquisition Act,1894 to acquire the land specified in the writ petition.

In the circumstances, the grievance of the petitioners is premature and moot and does not justify intervention under Article 226 of the Constitution of India.

The writ petition is accordingly disposed of directing the respondents not to dispossess the petitioners except in accordance with the procedure established by law. No costs.

**GODA RAGHURAM, J**

26th October, 2006.
GRR